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FAEGRE & BENSON LLP

2200 WELLS FARGO CENTER, 90 SOUTH SEVENTH STREET
MINNEAPOLIS, MINNESOTA 55402-3901
TELEPHONE 612-766-7600
FACSIMILE 612-766-1600

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Date: May 13, 2004

Time:

.m. (Minneapolis)

JAN 2 1 2005

Number of pages (including this page): 19

F&B File No.:

17310-

Rec.: 32MRECTOR OFFICE

242924

TECHNOLOGY CENTER 2000

From: John M. Haurykiewicz

Telephone Number:

612/766-8216

To: USPTO

703-872-9306

Applicant:

RANDOLPH EDWARD FOSSUM

Examiner:

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Serial No.:

10/041,945

Group Art Unit:

JAN 2 5 2005

Filed:

For:

January 7, 2002

INSIDE DIAMETER

Docket No.

17310-242924

OFFICE OF PETITIONS

Request for Withdrawal of Holding of Abandonment (3 pages);

BASE PLATE WITH TAPERED

- A copy of Notice of Abandonment (Exhibit A, 1 page);
- A copy of the Response to Notice to File Missing Parts (Exhibit B, 11 pages);
- A copy of the return receipt postcard showing receipt by OIPE at the USPTO on March 15, 2002 (Exhibit C, 1 page);
- A copy of the fax transmittal sheet showing successful fax transmission of the Reply to Notice of Abandonment (Exhibit D, 1 page); an 1
- A copy of the Auto-Reply Facsimile Transmission sheet acknowledging receipt of the fax transmission of the Reply to Notice of Abandonment (Exhibit E, 1 page).

M2:20600510.02

If you do not receive all pages, please call the Fax Center at 612/766-1650 or Kimberly Bzdok at 612/766-7948.

FROM FAEGRE & BENSON



DEC 0 1 2004

Technology Center 2600

RECEIVED GENTRAL FAX CENTER

MAY 1 3 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

RANDOLPH EDWAFD

FOSSUM

Serial No.:

10/041,945

Filed:

January 7, 2002

For:

BASE PLATE WITH.

TAPERED INSIDE

DIAMETER

Examiner:

Group Art Unit: 2652

Docket No.

17310-242924

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JAN 2 5 2005

OFFICE OF PETITIONS

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 I CERTIFY THAT, ON MAY 13, 2004, THIS PAPER IS BEING SENT VIA FACSIMILE TO THE COMMISSIONER FOR PATENTS, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450.

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

- 1. Applicant requests that he holding of abandonment of this application be withdrawn. If a petition under 37 CFF, 1.181(a) is necessary, applicant respectfully requests that this paper be considered such a petition. No fee is believed to be required for entry of this paper or for the action requested herein.
- 2. In the event that a disclaimer is required dedicating to the public a terminal part of the term of any patent granted on this application that would extend beyond the date 20 years from the filing date of the application, then applicant hereby terminally disclaims such terminal part of the term of any patent granted on this application that would extend beyond 20 years from the filing date of this application.
- 3. This paper is being submitted because a check of the private pair page for this application indicates that the status of the case is still under a holding of abandonment on the basis of the Notice of Abandonment meiled by the Office on January 16, 2004, copy enclosed as Exhibit A.
 - 4. Chronology:

SN 10/041,945 Page 2

- a. On January 7, 2002, a new application was filed in the USPTO and received a serial number 10/041,945 That application was filed with an unexecuted Declaration.
- b. On February 7, 2002, a NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION for this application was mailed by the USPTO.
- c. On March 6, 2002 a complete response to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION for this application was mailed to the USPTO with a certificate of first class mailing. A copy is enclosed as Exhibit B. The response included, *inter alia*: i. a Copy of the Notice to File Missing Parts of Nonprovisional Application, ii. Payment of the Filing Fee and Surcharge for Late Filing of Declaration, and iii. the executed Declaration and Power of Attorney in Original Application. A copy of the postcard receipt returned by the USPTO, evidencing receipt of the originally mailed response to the Notice to File Missing Parts stamped by the USPTO on March 15, 2002 is enclosed as Exhibit C.
- d. On November 19, 2003, a call was placed to the Group Art Unit to check on the status of this application. The USPTO stated that the application was in the pre-examination stage and was docketed to be assigned to an Examiner in 3-6 months.
- e. On January 16, 2004 a NOTICE OF ABANDONMENT for this application was mailed by the USPTO, Confirmation No. 4900.
- f. On January 27, 2004 a call was placed to the USPTO about the incorrect holding of abandonment of this application. The call was transferred to the Office of Petitions, and Ms. Andrea Smith (703-305-6711) instructed the undersigned to resubmit the response by fax transmission to the USPTO, to fax number 703-746-4060.
- g. On February 5, 2004, in response to the instructions from the USPTO, a copy of the reply to the NOTICE OF ABANDONMENT including the Response to the Notice of Missing Parts for this case was transmitted by fax to the USPTO. A copy of the fax transmittal sheet showing successful transmission is enclosed as Exhibit D. A copy of the Auto-Reply I acsimile Transmission sheet acknowledging receipt of the February 5, 2004 fax transmission is also enclosed as Exhibit E. This return receipt

SN 10/041,945 Page 3

generated by the Office includes an image of the cover page and the number of pages, as well as, the date and time this facsimile was received by the Office.

- 5. Applicant requests withdrawal of the holding of abandonment of this application. If a petition under 38 CFR 1.181 is required, MPEP 711.03(c), applicant respectfully requests that the Office treat the petition on its merits notwithstanding that it is submitted more than 2 months after the mailing date of the Notice of Abandonment for the following reasons: i.) applicant mailed the original response to the Notice of Missing Parts within the time allowed, i.e., on Marc 16, 2002, see Exhibits B and C; ii.) applicant made a bona fide attempt to respond within the 2 month period after the mailing date of the Notice of Abandonment by transmitting the missing papers according to the instructions from the Office, see Exhibits D and E.
- 6. No fee is believed to be necessary. Should any fee be required for entry of this paper or for the action requested herein, the Commissioner is authorized to charge our Deposit Account No. 06-0029 and is requested to notify us of the same.

Respectfully Submitted,

RANDOLPH EDWARD FOSSUM

By:

John M. Haurykiewicz, #29,31 FAEGRE & BENSON LLP 2200 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402-3901 612/766-8216

Dated: May 13, 2004 Enclosures

M2:20625612.01

EXHIBIT A

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United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCY United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS FO. SER 149 Address Viginia 22/11-1450

APPLICATION NUMBER

FILING OR 371(C) DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO/TITLE

10/041.945

01/07/2003

Randolph Edward Fossum

17310-242924

25764 FAEGRE & BENSON LLP 2200 WELLS FARGO CENTER

90 SOUTH 7TH STREET

MINNEAPOLIS, MN 55402

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Technology Center 2830

CONFIRMATION NO. 4900
ABANDONMENT/TERMINATION
LETTER
OC000000011707030

PR: 2mos: 3-16-04

Date Mailed: 01/16/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/07/2002.

No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant the ecomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive sl'ould be directed to the "Office of Petitions" at (703) 305-9282.Petitions should be mailed to: Mail Stop Fetitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.

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JAN 2 5 2005

OFFICE OF PETITIONS

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - A TTORNEY/APPLICANT COPY



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(THU) 5. 13' 04 14:52/ST. 1

CENTRAL FAX CENTER

EXHIBIT B

Technology Center 2600

MAY 1 3 2004

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

RANDOLPH EDWARD FOSSUM

BASE PLATE WITH TAPERED

Serial No.:

10/041,945

HE STATE

Filed:

Group Art Unit: 2652

For:

January 7, 2002

INSIDE DIAMETER

Docket No.

Examiner:

17310-242924

Box MISSING PARTS Commissioner for Patents Washington, D.C. 20231

I CERTIFY THAT, ON MARCH 6, 2002, THIS PAPER IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231

ESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL **APPLICATION FILED UNDER 37 C.F.R. § 1.53(b)**

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b), Filing Date Granted, mailed February 7, 2002, Applicant has enclosed herewith the following documents to complete the above-identified application filed January 7, 2002:

- Copy of Notice to File Missing Parts of Nonprovisional Application; RECEIVED 1.
- 2. Claims Fee Calculation (1 page)

JAN 2 5 2005

OFFICE OF PETITIONS

3. Credit Card Payment Form, PTO-2038, for \$1,152.00 Filing Fee

\$1,022.00

Surcharge for Late Filing of Declaration

\$ 130,00

Total

\$1,152.00

- 4. Combined Declaration and Power of Attorney in Original Application (executed - 2 pages);
- 5. Preliminary Amendment (3 pages); and
- **Postcard**

A self-addressed return postcard in accordance with M.P.E.P. Section 503 itemizing all of the above-referenced documents filed with the United States Patent and Trademark Office.

Continued

Response To Notice To File Missing Parts of Nonprovisional Application March 6, 2002 SN 10/041,945 Page 2

If the amounts submitted herewith are incorrect, the Commissioner is authorized to credit any overpayment or charge any deficit to our Deposit Account No. 06-0029 and notify us of the same.

Respectfully Submitted,

RANDOLPH EDWARD FOSSUM

By:

John M. Haurykiewicz, #29,311 FAEGRE & BENSON LLP 2200 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402-3901

612/766-8216

Dated: March 6, 2002

M2:20447104.01



DEC 0 1 2004 (THU) 5. 13'04 14:52/ST. 14:49/NO. 48620

Technology Center 2600



FROM FAEGRE & BENSON

United States Patent and Trademark Office

COMMISSIONER FOR PATENTS United States Patent and Trademark Office 70K. D.C. 20231

APPLICATION NUMBER

FILINO/RECEIP DATE

FORST NAMED APPLICANT

www.uspto.gov ATTORNEY DOCKET NUMBER

10/041,945

01/07/20:)2

Randolph Edward Fossum

17310-242924

CONFIRMATION NO. 4900

FORMALITIES LETTER

OC000000007435140*

FAEGRE & BENSON LLP 2200 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402-3901

Date Mailed: 02/07/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$282.
 - \$198 for 11 total claims over 20.
 - \$84 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The balance due by applicant is \$ 1152.

A copy of this notice MUST be returned with the reply.

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TC BE RETURNED WITH RESPONSE

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JAN 2 5 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: RANDOLPH EDWARD FOSSUM

INSIDE DIAMETER

Examiner:

Serial No.:

10/041,945

Group Art Unit: 2652

Filed: For:

January 7, 2002

BASE PLATE WITH TAPERED

Docket No.

17310-242924

CLAIMS FEE CALCULATION CLAIMS AS FILED - PART I

	Number Filed		Number Extra		Rate	Basic Fee	
						\$ 740	
Total Claims	31	- 20 =	11	x	\$ 18	\$ 198	
Total Independent Claims	4	- 3 ==	1	х	\$ 84	\$ 84	
Multiply Dependent Claims	Ċ	•			\$ 280	\$ 0	
					Total	\$ 1 022	

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JAN 2 5 2005

PTO-2038 (02-2000)

Approved for use through 01/31/2003. OMB 0651-0043

United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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United States Patent & Trademark Office

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MAY 1 3 2004

PATENT APPLIATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: RANDOLPH EDWARD FOSSUM

Serial No.: 10/041,945

Filed: January 7, 2002

For: BASE PLATE WITH TAPERED INSIDE DIAMETER

Croup Art Unit:

Docket No. 17310-242924

COMBINED DECLARATION AND POWER OF ATTORNEY IN ORIGINAL APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled BASE PLATE WITH TAPERED INSIDE DIAMETER, the specification of which was filed on January 7, 2002 as Application Serial No. 10/041,945.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's pertificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

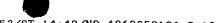
Prior Foreign Application(s)

Number	Country	Day/Month/Year Filed	Priority Claimed
None			Yes No
			Yes No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, ansofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as define 1 in Title 37, Code of Federal Regulations, § 1.56

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which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Appln. Ser. No.	Filing Date	Status: patented, pending abandoned
None	•	

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Pate at and Trademark Office connected therewith: Felicia J. Boyd, Reg. No. 32,683; Pau. W. Busse, Reg. No. 32,403; Lynn C. Cameron, Reg. No. 44,581; John M. Haurykiewicz, Reg. No. 29,311; Peter J. Kinsella, Reg. No. 39,729; Robert B. Leonard, Reg. No. 33,946; Walter C. Linder, Reg. No. 31,707; Karl G. Schwappach, Reg. No. 35,786; William K. Weimer, Reg. No. 38,655; Gary S. Weinstein, Reg. No. 42,217; and Tong Wu, Reg. No. 43,361.

Address all correspondence to Karl G. Schwappach, FAEGRE & BENSON LLP, 2200 Wells Fargo Center, 90 South Seventh Street, Minneapolis, MN 55402-3901, telephone 612/766-7773.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: Randolph Edward Fossum	
Inventor's signature:	3/4/02
Residence: 2951 Washburn Circle, Richfield, MN 55423	Date

Citizenship: United States of America

P.O. Address: same as above

M2:20443516.01 (F&B 12/6/99)



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MAY 1 3 2004

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

RANDOLPH EDWARD FOSSUM

Examiner:

Serial No.:

10/041,945

Group Art Unit: 2652

Filed:

January 7, 2002

17210 24202

For:

BASE PLATE WITH TAPERED

INSIDE DIAMETER

Docket No.

17310-242924

Box MISSING PARTS Commissioner for Patents Washington, D.C. 20231

I CERTIFY THAT, ON MARCH 6, 2002, THIS PAPER IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: BOX MISSING PARTS, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 2023 1.

PRELIMINARY AMENDMENT

Prior to examination of the above-identified application, please amend the application as follows.

In The specification:

Replace Table 1 on Page 9 with the following table.

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Preliminary Amendments March 6, 2002 SN 10/041,945 Page 2 of 3

Remarks

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made."

Please charge to Deposit Account 06-0029 any fees under 37 C.F.R. 1.16 and 1.17 which may be required to file and during the entire pendency of this application. This authorization shall be treated as requesting a petition for an extension of time under 37 C.F.R. 1.136(a) of the appropriate length that may be necessary now or in the future. If the Examiner has any questions or comments, please contact the undersigned attorney.

Respectfully Submitted,

RANDOLPH EDWARD FOSSUM

By:

John M. Haurykiewicz, #29,31)
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
612/766-8216

Dated: March 6, 2002

M2:20447113.01

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Preliminary Amendmentt March 6, 2002 SN 10/041,945 Page 3 of 3

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In The Specification:

Table 1 on page 9 has been an ended as follows:

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% Charge	-43.81%		- 1.98%		21.47%		13.92%	1.10
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- Transmittal Letter with Certificate of Mailing (2 pages)
- Copy of Notice To File Missing Parts of Nonprovisional Application (1 page)
- Claims Fee Calculation (1 page)
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- Combined Declaration and Power of Attorney in Original Appl:cation (executed - 2 pages)
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Applicant: RANDOLPH EDWARD FOSSUM

Serial No 10/041,945 Filed:

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Telephone Number:

612/766-8216

To: Missing Parts 703.746.4060

Applicant:

RANDOLPH EDWARD FOSSUM

Examiner:

Serial No.:

10/041,945

Group Art Unit: 2652

Filed:

January 7, 2002

Docket No.

17310-242924

For:

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10/041,945 January 7, 2002

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 A copy of the Claims For Calculati in (1 page);
 A copy of the reducted file copy of the credit card form (1 page);
 A copy of the Combined Declarati: n and Power of Athriney (2 pages);
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